

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case
07-CA-291739Date Filed
3-3-2022**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Courtney Manor Nursing and Rehabilitation		b. Tel. No. (b) (6), (b) (7)(C)
		c. Cell No. (b) (6), (b) (7)(C)
		f. Fax. No. (b) (6), (b) (7)(C)
d. Address (Street, city, state, and ZIP code) 1167 E Hopson St, MI Bad Axe 48413	e. Employer Representative (b) (6), (b) (7)(C)	g. e-mail
		h. Number of workers employed 30
i. Type of Establishment (factory, mine, wholesaler, etc.) Healthcare Facilities	j. Identify principal product or service Healthcare	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 1 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

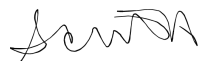
--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)
Scott Holiday
SEIU Healthcare Michigan
Chief of Staff

4a. Address (Street and number, city, state, and ZIP code) 3031 W Grand Blvd MI Detroit 48202	4b. Tel. No. (248) 635-0673
	4c. Cell No. (248) 635-0673
	4d. Fax No.
	4e. e-mail scott.holiday@seiuhealthcaremi.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)
SEIU

6. DECLARATION

I declare that I have read the above charge and that the statements
are true to the best of my knowledge and belief.Scott Holiday
Chief of Staff

(signature of representative or person making charge)

(Print/type name and title or office, if any)

3031 W Grand Blvd

Address Detroit MI 48202

Date 03/03/2022 06:25:00 PM

Tel. No.
(248) 635-0673Office, if any, Cell No.
(248) 635-0673

Fax No.

e-mail
scott.holiday@seiuhealthcaremi.org**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by engaging in surveillance or creating impression of surveillance of employees' union activities.

Name of Employer's Agent/Representative who made the statement	Approximate date
(b) (6), (b) (7)(C)	03/03/2022



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



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March 7, 2022

Mr. Scott Holiday, Chief of Staff
SEIU Healthcare Michigan
3031 West Grand Boulevard
Detroit, MI 48202

Re: Courtney Manor Nursing and Rehabilitation
Case 07-CA-291739

Dear Mr. Holiday:

The charge that you filed in this case on March 03, 2022 has been docketed as case number 07-CA-291739. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Larry A. "Tony" Smith whose telephone number is (313)335-8081. If this Board agent is not available, you may contact Supervisory Field Attorney Andrew M. MacEachern whose telephone number is (313)335-8032.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlrb.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability.

March 7, 2022

Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Elizabeth Kerwin". The signature is written in a cursive style with a large, sweeping flourish at the end.

Elizabeth Kerwin
Regional Director



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NATIONAL LABOR RELATIONS BOARD

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Detroit, MI 48226

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Fax: (313)226-2090



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March 7, 2022

(b) (6), (b) (7)(C)

Courtney Manor Nursing and Rehabilitation
1167 East Hopson Street
Bad Axe, MI 48413

Re: Courtney Manor Nursing and Rehabilitation
Case 07-CA-291739

Dear (b) (6), (b) (7)(C):

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Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

March 7, 2022

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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March 7, 2022

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Elizabeth Kerwin". The signature is written in a cursive style with a large, sweeping loop at the end.

Elizabeth Kerwin
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

From: Pecor, Grant <GPecor@btlaw.com>
Sent: Tuesday, March 22, 2022 3:46 PM
To: Smith, Larry A. <Larry.Smith@nlrb.gov>
Subject: FW: [EXTERNAL]Fwd: Case Number 07-CA-291739 Courtney Manor

Mr. Smith,

Just a heads up, I have just been asked to represent the Employer in the aforementioned matter (I will be filing an appearance shortly). However, my client and I are not able to identify what they are alleged to have done based on the description included in the charge. Any chance you have taken the Union's evidence on this yet and can shed some light on what is alleged to have occurred?

Grant T. Pecor

Direct (616) 742-3911



From: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)@cienahmi.com>
Sent: Tuesday, March 22, 2022 3:14 PM
To: Pecor, Grant <GPecor@btlaw.com>
Cc: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)@cienahmi.com>
Subject: [EXTERNAL]Fwd: Case Number 07-CA-291739 Courtney Manor

FYI

----- Forwarded message -----

From: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)@cienahmi.com>
Date: Tue, Mar 15, 2022 at 10:22 AM
Subject: Case Number 07-CA-291739 Courtney Manor
To: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)@cienahmi.com>, (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)@cienahmi.com>

FYI.

(b) (6), (b) (7)(C) let's discuss the attached.

thx

----- Forwarded message -----

From: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) @cienafacilities.com>
Date: 022 at 8:41 AM
Subject: Important letter sent for you.
To: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) @cienahmi.com>

Hi (b) (6), (b) (7)(C)

Ive attached a letter sent to us for you. This is very important and please let me know when you receive this so I know it got to you.

Thank you

(b) (6), (b) (7)(C)



1167 East Hopson
Bad Axe MI 48413
P: (b) (6), (b) (7)(C)
F: (b) (6), (b) (7)(C)



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(b) (6), (b) (7)(C)



4000 Town Center, Suite 2000, Southfield, MI 48075
C: (b) (6), (b) (7)(C) O: (b) (6), (b) (7)(C) F: (b) (6), (b) (7)(C)





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--

(b) (6), (b) (7)(C)



4000 Town Center, Suite 2000, Southfield, MI 48075
C (b) (6), (b) (7)(C) O (b) (6), (b) (7)(C) F (b) (6), (b) (7)(C)



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UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 07-CA-292851	Date Filed 3-22-2022

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer McLaren Oakland		b. Tel. No. (586) 493-8017
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code) 50 N Perry St MI Pontiac 48342	e. Employer Representative Laura Gibbard Regional Vice President Human Resources	g. e-mail
		h. Number of workers employed 100
i. Type of Establishment (factory, mine, wholesaler, etc.) Healthcare	j. Identify principal product or service Healthcare	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 5 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)
Scott Holiday
SEIU Healthcare Michigan
Chief of Staff

4a. Address (Street and number, city, state, and ZIP code) 3031 W Grand Blvd MI Detroit 48202	4b. Tel. No. (248) 635-0673
	4c. Cell No. (248) 635-0673
	4d. Fax No.
	4e. e-mail scott.holiday@seiuhealthcaremi.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)
SEIU

6. DECLARATION

I declare that I have read the above charge and that the statements
are true to the best of my knowledge and belief.

(signature of representative or person making charge)

Scott Holiday
Chief of Staff

(Print/type name and title or office, if any)

3031 W Grand Blvd

Address Detroit MI 48202

Date 03/22/2022 05:51:36 PM

Tel. No.
(248) 635-0673Office, if any, Cell No.
(248) 635-0673

Fax No.

e-mail
scott.holiday@seiuhealthcaremi.org**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

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Basis of the Charge

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

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Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



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March 28, 2022

Mr. Scott Holiday, Chief of Staff
SEIU Healthcare Michigan
3031 West Grand Boulevard
Detroit, MI 48202

Re: McLaren Oakland
Case 07-CA-292851

Dear Mr. Holiday:

The charge that you filed in this case on March 22, 2022 has been docketed as case number 07-CA-292851. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Kelly Temple whose telephone number is (313)335-8070. If this Board agent is not available, you may contact Supervisory Examiner Jason E. Knepp whose telephone number is (313)335-8028.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

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Regional Director



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

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Fax: (313)226-2090



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March 28, 2022

Ms. Laura Gibbard, Regional Vice
President Human Resources
McLaren Oakland
50 North Perry Street
Pontiac, MI 48342

Re: McLaren Oakland
Case 07-CA-292851

Dear Ms. Gibbard:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

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Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not

have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Elizabeth Kerwin". The signature is written in a cursive style with a large, sweeping loop at the end of the last name.

Elizabeth Kerwin
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer McLaren Oakland		b. Tel. No. (248) 338-5000
		c. Cell No. 248-672-3462
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 50 N Perry St, Pontiac, MI 48342	e. Employer Representative Laura Gibbard	g. e-mail Laura.Gibbard@mclaren.org
		h. Number of workers employed 100
i. Type of Establishment (factory, mine, wholesaler, etc.) Hospital	j. Identify principal product or service Healthcare	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 8(d), 8(a)(5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

The union believes that management direct dealt with the membership by having one on one conversations encouraging union members to vote in favor of their last, best, and final offer as well as sending written communication expressing that sentiment. In addition to the charges that the union filed the union also has evidence that the employer refuses to meet with the union at regular times and intervals. Our vote on the Hospital's last best and Final proposal was overwhelmingly rejected by the members on 3/28/2022. The union sent a request to go back to the table at 5:30pm on that day. On Tuesday 3/29 the employer sent 1 day almost 7 weeks away (5/6/2022) for negotiations. The union has asked for more dates but has not yet been provided any.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Service Employees International Union, Healthcare Michigan

4a. Address (Street and number, city, state, and ZIP code) 3031 W. Grand BLVD, Detroit, Mi, 48202 #555	4b. Tel. No. (866) 734-8466
	4c. Cell No. 248-635-0673
	4d. Fax No.
	4e. e-mail scott.holiday@seiuhealthcaremi.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

Service Employees International Union

6. DECLARATION

I declare that I have read the above charge and that the statements
are true to the best of my knowledge and belief.

Scott Holiday

Chief of Staff

(signature of representative or person making charge)

(Print/type name and title or office, if any)

3031 W. Grand Blvd, Detroit MI 48202

Address

Date 3/31/2022

Tel. No.
248-635-0673

Office, if any, Cell No.

Fax No.

e-mail
scott.holiday@seiuhealthcaremi.org**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



Download
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April 12, 2022

Mr. Scott Holiday, Chief of Staff
SEIU Healthcare Michigan
3031 West Grand Boulevard
Detroit, MI 48202

Re: McLaren Oakland
Case 07-CA-292851

Dear Mr. Holiday:

We have docketed the first amended charge that you filed in this case.

Investigator: This charge is being investigated by Field Attorney Kelly Temple whose telephone number is (313)335-8070. If the agent is not available, you may contact Supervisory Examiner Jason E. Knepp whose telephone number is (313)335-8028.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlr.gov). You must e-file all documents electronically or provide a

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink that reads "Elizabeth Kerwin". The signature is written in a cursive style with a large, sweeping loop at the end of the name.

Elizabeth Kerwin
Regional Director



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



Download
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April 12, 2022

Ms. Laura Gibbard, Regional Vice President Human Resources
McLaren Oakland
50 North Perry Street
Pontiac, MI 48342

Re: McLaren Oakland
Case 07-CA-292851

Dear Ms. Gibbard:

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Attorney Kelly Temple whose telephone number is (313)335-8070. If the agent is not available, you may contact Supervisory Examiner Jason E. Knepp whose telephone number is (313)335-8028.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in dark ink that reads "Elizabeth Kerwin". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Elizabeth Kerwin
Regional Director

Enclosure: Copy of first amended charge

cc: Rhonda Armstrong, Staff Attorney
McLaren Health Care Corporation
One McLaren Parkway
Grand Blanc, MI 48439

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Service Employees International Union (SEIU)
and
McLaren Oakland

CASE 07-CA-292851

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____
Employer (McLaren Macomb)

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME:	Rhonda H. Armstrong		
MAILING ADDRESS:	One McLaren Parkway, Grand Blanc, MI 48439		
E-MAIL ADDRESS:	Rhonda.Armstrong@McLaren.org		
OFFICE TELEPHONE NUMBER:	811.342.1434		
CELL PHONE NUMBER:	248.515.3219	FAX:	810.342.1436
SIGNATURE:	<i>Rhonda H. Armstrong</i>		
DATE:	(Please sign in ink.) March 29, 2022		

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**Case
07-CA-293079Date Filed
3-28-2022**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Crothall Healthcare		b. Tel. No. (800) 447-4476
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 1500 Liberty Ridge Drive Suite #210 Wayne, PA 19087	e. Employer Representative Kim Mullins, Director	g. e-Mail kim.pierce@crothall.com
		h. Number of workers employed 179
i. Type of Establishment (factory, mine, wholesaler, etc.) hospital	j. Identify principal product or service environmental services	

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

The Employer has maintained and enforced a clause in the collective bargaining agreement which unlawfully restricts the Union's access to the facility.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)
(b) (6), (b) (7)(C) SEIU Healthcare Michigan

4a. Address (Street and number, city, state, and ZIP code) 3031 West Grand Boulevard Suite 555 Detroit, MI 48202	4b. Tel. No. (b) (6), (b) (7)(C)
	4c. Cell No.
	4d. Fax No.
	4e. e-Mail (b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)
SEIU Healthcare Michigan**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

(b) (6), (b) (7)(C)
B
(Signature of representative of person making charge)(b) (6), (b) (7)(C)
(Print type name and title or office, if any)(b) (6), (b) (7)(C)
Address3-26-22
(date)

Tel. No. (b) (6), (b) (7)(C)

Office, if any, Cell No.

Fax No.

e-Mail

(b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlrb.gov
Telephone: (313)226-3200
Fax: (313)226-2090



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March 29, 2022

(b) (6), (b) (7)(C)

SEIU Healthcare Michigan
3031 West Grand Boulevard
Suite 555
Detroit, MI 48202

Re: Crothall Healthcare
Case 07-CA-293079

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on March 28, 2022 has been docketed as case number 07-CA-293079. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Rana Roumayah whose telephone number is (313)335-8064. If this Board agent is not available, you may contact Supervisory Field Attorney Andrew M. MacEachern whose telephone number is (313)335-8032.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlrb.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

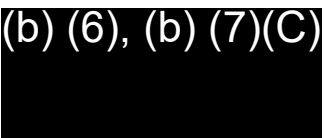
We can provide assistance for persons with limited English proficiency or disability.

Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Elizabeth Kerwin". The signature is fluid and cursive, with a large loop at the end of the last name.

Elizabeth Kerwin
Regional Director

cc: (b) (6), (b) (7)(C)
A large black rectangular redaction box covering several lines of text.

Copy of charge only sent to:

Mr. Scott Holiday, Chief of Staff
SEIU Healthcare Michigan
3031 West Grand Boulevard
Suite 555
Detroit, MI 48202



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7
Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlrb.gov
Telephone: (313)226-3200
Fax: (313)226-2090



Download
NLRB
Mobile App

March 29, 2022

Crothall Healthcare
Attn: Kim Mullins, Director
1500 Liberty Ridge Drive
Suite #210
Wayne, PA 19087

Re: Crothall Healthcare
Case 07-CA-293079

Dear Kim Mullins:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Rana Roumayah whose telephone number is (313)335-8064. If this Board agent is not available, you may contact Supervisory Field Attorney Andrew M. MacEachern whose telephone number is (313)335-8032.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Elizabeth Kerwin". The signature is written in a cursive style with a large, sweeping loop at the end.

Elizabeth Kerwin
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Crothall Healthcare

and

(b) (6), (b) (7)(C) an Individual

CASE 07-CA-293079

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____

The Employer

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Christopher R. Coxson

MAILING ADDRESS: 140 Hillside Avenue, Chatham, NJ 07928

E-MAIL ADDRESS: christopher.coxson@compass-usa.com

OFFICE TELEPHONE NUMBER: _____

CELL PHONE NUMBER: 862-579-1757

FAX: _____

SIGNATURE: _____

(Please sign in ink)

DATE: 4/21/22

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case
07-CA-293650Date Filed
April 5, 2022**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Mercy Health Muskegon		b. Tel. No. (810) 701-4435
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 1500 E Sherman Boulevard MI Muskegon 49444	e. Employer Representative Robin Belcourt Labor Relations Consultant	g. e-mail Robin.Belcourt@trinity-health.org
		h. Number of workers employed 2400
i. Type of Establishment (factory, mine, wholesaler, etc.) Healthcare Facilities	j. Identify principal product or service Health care	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 5 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)
Andrea Acevedo President
SEIU Healthcare MI

4a. Address (Street and number, city, state, and ZIP code) 3031 W Grand Blvd Suite 555 MI Detroit 48202	4b. Tel. No. (313) 310-9429
	4c. Cell No.
	4d. Fax No.
	4e. e-mail Andrea.Acevedo@SEIUhealthcareMI.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)
SEIU**6. DECLARATION**I declare that I have read the above charge and that the statements
are true to the best of my knowledge and belief.Andrea Acevedo
President

(signature of representative or person making charge)

(Print/type name and title or office, if any)

3031 W Grand Blvd Suite 555

Address Detroit MI 48202

Date 04/05/2022 05:29:48 PM

Tel. No.
(313) 310-9429

Office, if any, Cell No.

Fax No.

e-mail
Andrea.Acevedo@SEIUhealthcareMI.org**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees by making unilateral changes in terms and conditions of employment.

List Changes	Approximate date of change
Changing the working conditions of RN Charge Nurse	03/29/2022



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7
Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



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April 7, 2022

Andrea Acevedo, President
SEIU Healthcare Michigan
3031 West Grand Boulevard
Suite 555
Detroit, MI 48202

Re: Mercy Health Partners, Mercy Campus
Case 07-CA-293650

Dear Ms. Acevedo:

The charge that you filed in this case on April 05, 2022 has been docketed as case number 07-CA-293650. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner MICHAEL D. MADDEN whose telephone number is (616)930-9173. The mailing address is 110 Michigan St NW Ste 299, Grand Rapids, MI 49503-2313. If this Board agent is not available, you may contact Resident Officer Colleen J. Carol whose telephone number is (616)930-9161.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlrb.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in dark ink that reads "Elizabeth Kerwin". The signature is written in a cursive style with a large, sweeping loop at the end of the word "Kerwin".

ELIZABETH KERWIN
Regional Director



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7
Patrick V. McNamara Federal Building
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Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



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April 7, 2022

Robin Belcourt, Director Labor Relations
Mercy Health Partners
1560 E. Sherman Blvd., Ste 225
Muskegon, MI 49444

Re: Mercy Health Partners, Mercy Campus
Case 07-CA-293650

Dear Ms. Belcourt:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner MICHAEL D. MADDEN whose telephone number is (616)930-9173. The mailing address is 110 Michigan St NW Ste 299, Grand Rapids, MI 49503-2313. If this Board agent is not available, you may contact Resident Officer Colleen J. Carol whose telephone number is (616)930-9161.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not

have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Elizabeth Kerwin". The signature is written in a cursive style with a large, sweeping loop at the end.

ELIZABETH KERWIN
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc: Keith J. Brodie, ESQ.
Barnes & Thornburg, LLP
171 Monroe Avenue, NW
Suite 1000
Grand Rapids, MI 49503

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 0 9 0 0	Date Filed 0

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Avista Nursing and Rehab		b. Tel. No. 989.777.5110
		c. Cell No.
		f. Fax. No. 989.393.5998
d. Address (Street, city, state, and ZIP code) 2901 Galaxy Dr. Saginaw, MI 48601	e. Employer Representative Amanda Stryker	g. e-mail astryker@avistanursingandrehab.com
		h. Number of workers employed 76

i. Type of Establishment (factory, mine, wholesaler, etc.) Healthcare Facility	j. Identify principal product or service Nursing Home
---	--

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

The collective bargaining agreement was ratified on December 15, 2021 for Avista Nursing and Rehab. Thereafter, a decert was filed and there was no communication from the employer after being informed of the ratification results on December 15, 2021. Of their intentions to implement the contract, therefore no contract was implemented and Employer did not initiate the signing until after the Union won the decert vote.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Saran Walker (SEIU HEMI)

4a. Address (Street and number, city, state, and ZIP code)

3031 W. Grand Boulevard
New Center One Bldg., Suite 555
Detroit, Michigan 48202

4b. Tel. No. 313.343.1102

4c. Cell No.

313.343.1102

4d. Fax No.

313.965.0422

4e. e-mail

saran.walker@seiuhealthcaremi.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

Service Employees International Union, Healthcare of Michigan

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Tel. No.

Office, if any, Cell No.

313.343.1102

Fax No.

313.965.0422

e-mail

saran.walker@seiuhealthcaremi.org

(signature of representative or person making charge)

(Print/type name and title or office, if any)

Address

3031 W. Grand Boulevard, Suite 555, Det, MI 48202

Date

4-12-22

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

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Detroit, MI 48226

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Fax: (313)226-2090



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April 15, 2022

Ms. Saran Walker
SEIU Healthcare Michigan
3031 West Grand Boulevard
New Center One Building, Suite 555
Detroit, MI 48202

Re: Avista Nursing and Rehab
Case 07-CA-294020

Dear Ms. Walker:

The charge that you filed in this case on April 12, 2022 has been docketed as case number 07-CA-294020. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Eric S. Cockrell whose telephone number is (313)335-8050. If this Board agent is not available, you may contact Deputy Regional Attorney Erikson C.N. Karmol whose telephone number is (313)335-8025.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

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Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

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We can provide assistance for persons with limited English proficiency or disability.

Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Elizabeth Kerwin". The signature is written in a cursive style with a large, sweeping flourish at the end.

Elizabeth Kerwin
Regional Director

Copy of charge only sent to:

Mr. Scott Holiday, Chief of Staff
SEIU Healthcare Michigan
3031 West Grand Boulevard
Suite 555
Detroit, MI 48202



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



Download
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April 15, 2022

Ms. Amanda Stryker
Avista Nursing and Rehab
2901 Galaxy Drive
Saginaw, MI 48601

Re: Avista Nursing and Rehab
Case 07-CA-294020

Dear Ms. Stryker:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Eric S. Cockrell whose telephone number is (313)335-8050. If this Board agent is not available, you may contact Deputy Regional Attorney Erikson C.N. Karmol whose telephone number is (313)335-8025.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in dark ink that reads "Elizabeth Kerwin". The signature is fluid and cursive, with a large, sweeping loop at the end.

Elizabeth Kerwin
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Avista Nursing and Rehab
and
SEIU Healthcare Michigan

CASE 07-CA-294020

Avista Nursing and Rehab

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____
Avista Nursing and Rehab


IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Grant T. Pecor	
MAILING ADDRESS: 171 Monroe Avenue, NW, Suite 1000	
Grand Rapids MI	
E-MAIL ADDRESS: gpecor@btlaw.com	
OFFICE TELEPHONE NUMBER: 6167423911	
CELL PHONE NUMBER: 6164466767	FAX: 6167423999
SIGNATURE: 	
DATE: Thursday, April 14, 2022 3:29 PM Eastern Standard Time	

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY. A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

FORM NLRB-508

FORM EXEMPT UNDER 44 U.S.C. 3512

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD**CHARGE AGAINST LABOR ORGANIZATION OR
ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
07-CB-286361	11-16-2021

INSTRUCTIONS:

File an original and 4 copies of this charge and an additional copy for each organization, each local, and each individual named in item 1 with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT		
a. Name	b. Union Representative to contact	
SEIU Healthcare Michigan	Andrea Acevedo, President	
c. Telephone No.	d. Address (street, city, state and ZIP code)	
(866) 734-8466	3031 W Grand Blvd #555, Detroit, MI 48202	
e. The above-named organization or its agents has engaged in and is engaging in unfair labor practices within the meaning of section 8 subsection (b)(1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)		
<p>Within the past 6 months, the above-named labor organization deducted dues from the paycheck of (b) (6), (b) (7)(C) despite the fact that (b) (6), (b) (7)(C) is not a member of this labor organization.</p>		
3. Name of Employer		4. Telephone No.
Crothall Healthcare Services		(313) 993 0629
5. Location of plant involved (street, city, state and ZIP code)		6. Employer representative to contact
3990 John R Street, Detroit, MI 48201		Kayetta Holly, HR Director
7. Type of establishment (factory, mine, wholesaler, etc.)	8. Identify principal product or service	9. Number of workers employed
Hospital	Environmental Services	
10. Full name of party filing charge		
(b) (6), (b) (7)(C)		
11. Address of party filing charge (street, city, state and ZIP code)		12. Telephone No.
(b) (6), (b) (7)(C)		(b) (6), (b) (7)(C)
6. DECLARATION		
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.		
By (b) (6), (b) (7)(C)		Title An Individual
Signature of representative or person making charge		Telephone No.
Address		Date
Same as above		10-27-21

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001)

Inquiry ID #: (b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



Download
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November 18, 2021

(b) (6), (b) (7)(C)

Re: SEIU Healthcare Michigan
(Crothall Healthcare Services)
Case 07-CB-286361

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on November 16, 2021 has been docketed as case number 07-CB-286361. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Robert Drzyzga whose telephone number is (313)335-8052. If this Board agent is not available, you may contact Supervisory Field Attorney Andrew M. MacEachern whose telephone number is (313)335-8032.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlrb.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability.

Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Elizabeth Kerwin". The signature is written in a cursive style with a large, sweeping flourish at the end.

Elizabeth Kerwin
Regional Director



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



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November 18, 2021

SEIU Healthcare Michigan
Attn: Andrea Acevedo, President
3031 West Grand Boulevard
#555
Detroit, MI 48202

Re: SEIU Healthcare Michigan
(Crothall Healthcare Services)
Case 07-CB-286361

Dear Andrea Acevedo:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Robert Drzyzga whose telephone number is (313)335-8052. If this Board agent is not available, you may contact Supervisory Field Attorney Andrew M. MacEachern whose telephone number is (313)335-8032.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlrb.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and

withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Elizabeth Kerwin". The signature is written in a cursive style with a large, sweeping loop at the end.

Elizabeth Kerwin
Regional Director

Enclosure: Copy of Charge

Copy of charge only sent to:

Scott Holiday, Chief of Staff
SEIU Healthcare Michigan
3031 West Grand Boulevard
Suite 555
Detroit, MI 48202



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



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November 18, 2021

Crothall Healthcare Services
Att: Kayetta Holly, Human Resources Director
3990 John R. Street
Detroit, MI 48201

Re: SEIU Healthcare Michigan
(Crothall Healthcare Services)
Case 07-CB-286361

Dear Ms. Holly:

Enclosed is a copy of a charge that has been filed in this case. Although this charge is not filed against you, it is necessary for us to obtain information from you to determine whether we have jurisdiction over this case. In the future we may also need to obtain evidence from you concerning the merits of the charge. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Robert Drzyzga whose telephone number is (313)335-8052. If this Board agent is not available, you may contact Supervisory Field Attorney Andrew M. MacEachern whose telephone number is (313)335-8032.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

If, during the investigation of this matter, the Board agent asks for evidence, I strongly urge you or your representative to promptly present all evidence relevant to the investigation. In this way, the case may be fully investigated more quickly.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in dark ink that reads "Elizabeth Kerwin". The signature is written in a cursive style with a large, sweeping loop at the end.

Elizabeth Kerwin
Regional Director

Enclosures

1. Copy of Charge
2. Commerce Questionnaire

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
**CHARGE AGAINST LABOR ORGANIZATION
OR ITS AGENTS****DO NOT WRITE IN THIS SPACE**Case
07-CB-286361Date Filed
Apr 12, 2022**INSTRUCTIONS:** File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.**1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT**

a. Name SEIU Healthcare Michigan	"AMENDED CHARGE"		b. Union Representative to contact Andrea Acevedo, President
c. Address (Street, city, state, and ZIP code) 3031 West Grand Boulevard, #555 Detroit, MI 48202	d. Tel. No.	e. Cell No. 313-310-9429	
	f. Fax No. 231-726-6764		
	g. e-mail andrea.acevedo@seiuhealthcaremi.org		

h. The above-named labor organization has engaged in and is engaging in unfair labor practices within the meaning of section 8(b), subsections (1) and (list subsections) (1) (A) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Since about June 20, 2021, my Employer Crothall Healthcare Inc., unlawfully deducted money from my paycheck without proper authorization and remitted it to SEIU Healthcare Michigan. as union dues SEIU Healthcare Michigan unlawfully accepted the union dues unlawfully deducted from my paycheck in violation of Section 8 (b) (1) (A) of the Act.

3. Name of Employer Crothall Healthcare Inc.	4a. Tel. No. 313 993-0629	b. Cell No.	c. Fax No.
	d. e-mail		

5. Location of plant involved (street, city, state and ZIP code) 3990 John R. Street Detroit, MI 48201	6. Employer representative to contact Kayetta Holly Human Resources Director
--	--

7. Type of establishment (factory, mine, wholesaler, etc.) Hospital	8. Identify principal product or service Environmental Services	9. Number of workers employed over 500
--	--	--

10. Full name of party filing charge (b) (6), (b) (7)(C)

11. Address of party filing charge (street, city, state and ZIP code) (b) (6), (b) (7)(C)	11a. Tel. No. (b) (6), (b) (7)(C)	b. Cell No.	c. Fax No.
	d. e-mail (b) (6), (b) (7)(C)		

12. DECLARATION		Tel. No.
I declare that I have read the above charge and that the statements (b) (6), (b) (7)(C) my knowledge and belief.		(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) (signature) (b) (6), (b) (7)(C) representative or person making charge	(b) (6), (b) (7)(C) an individual (Print/type name and title or office, if any)	Cell No.
		Fax No.
Address (b) (6), (b) (7)(C)		e-mail (b) (6), (b) (7)(C)
Date 4.8.22		

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
**CHARGE AGAINST LABOR ORGANIZATION
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case 07-CA-286361	Date Filed 4-14-2022

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name SEIU Healthcare Michigan	"AMENDED CHARGE"		b. Union Representative to contact Andrea Acevedo, President
c. Address (Street, city, state, and ZIP code) 3031 West Grand Boulevard, #555 Detroit, MI 48202	d. Tel. No.	e. Cell No. 313-310-9429	
	f. Fax No. 231-726-6764		
	g. e-mail andrea.acevedo@seiuhealthcaremi.org		

h. The above-named labor organization has engaged in and is engaging in unfair labor practices within the meaning of section 8(b), subsections (1) and (list subsections) (1) (A) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Since about June 20, 2021, my Employer Crothall Healthcare Inc., unlawfully deducted money from my paycheck without proper authorization and remitted it to SEIU Healthcare Michigan, as union dues SEIU Healthcare Michigan unlawfully accepted the union dues unlawfully deducted from my paycheck in violation of Section 8 (b) (1) (A) of the Act.

3. Name of Employer Crothall Healthcare Inc.	4a. Tel. No. 313 993-0629	b. Cell No.	c. Fax No.
	d. e-mail		
5. Location of plant involved (street, city, state and ZIP code) 3990 John R. Street Detroit, MI 48201	6. Employer representative to contact Kayetta Holly Human Resources Director		
7. Type of establishment (factory, mine, wholesaler, etc.) Hospital	8. Identify principal product or service Environmental Services	9. Number of workers employed over 500	

10. Full name of party filing charge

(b) (6), (b) (7)(C)

11. Address of party filing charge (street, city, state and ZIP code)

(b) (6), (b) (7)(C)

11a. Tel. No.

(b) (6), (b) (7)(C)

b. Cell No.

c. Fax No.

d. e-mail

(b) (6), (b) (7)(C)

12. DECLARATION

(b) (6), (b) (7)(C)

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) an individual

(signature of representative or person making charge)

(Print/type name and title or office, if any)

Address

(b) (6), (b) (7)(C)

Date

4-8-22

Tel. No.

(b) (6), (b) (7)(C)

Cell No.

Fax No.

e-mail

(b) (6), (b) (7)(C)

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PRIVACY ACT STATEMENT**

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

Patrick V. McNamara Federal Building
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Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



Download
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Mobile App

April 12, 2022

(b) (6), (b) (7)(C)

Re: SEIU Healthcare Michigan
(Crothall Healthcare Services)
Case 07-CB-286361

Dear (b) (6), (b) (7)(C)

We have docketed the first amended charge that you filed in this case.

Investigator: This charge is being investigated by Field Attorney Robert Drzyzga whose telephone number is (313)335-8052. If the agent is not available, you may contact Supervisory Field Attorney Andrew M. MacEachern whose telephone number is (313)335-8032.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlr.gov). You must e-file all documents electronically or provide a

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in dark ink that reads "Elizabeth Kerwin". The signature is written in a cursive, flowing style with a large, sweeping loop at the end.

Elizabeth Kerwin
Regional Director



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlrb.gov
Telephone: (313)226-3200
Fax: (313)226-2090



Download
NLRB
Mobile App

April 12, 2022

Ms. Andrea Acevedo, President
SEIU Healthcare Michigan
3031 West Grand Boulevard
#555
Detroit, MI 48202

Re: SEIU Healthcare Michigan
(Crothall Healthcare Services)
Case 07-CB-286361

Dear Ms. Acevedo:

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Attorney Robert Drzyzga whose telephone number is (313)335-8052. If the agent is not available, you may contact Supervisory Field Attorney Andrew M. MacEachern whose telephone number is (313)335-8032.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the

Agency's web site (www.nlr.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

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Very truly yours,

A handwritten signature in dark ink that reads "Elizabeth Kerwin". The signature is fluid and cursive, with a large, sweeping loop at the end.

Elizabeth Kerwin
Regional Director

Enclosure: Copy of first amended charge

cc: Ken Haney, Executive Vice President
SEIU Healthcare Michigan
3031 West Grand Boulevard
Suite 555
Detroit, MI 48202-3141

Copy of charge only sent to:

Scott Holiday, Chief of Staff
SEIU Healthcare Michigan
3031 West Grand Boulevard
Suite 555
Detroit, MI 48202



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7

Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



Download
NLRB
Mobile App

April 12, 2022

Ms. Kayetta Holly, Human Resources Director
Crothall Healthcare Services
3990 John R. Street
Detroit, MI 48201

Re: SEIU Healthcare Michigan
(Crothall Healthcare Services)
Case 07-CB-286361

Dear Ms. Holly:

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Attorney Robert Drzyzga whose telephone number is (313)335-8052. If the Board agent is not available, you may contact Supervisory Field Attorney Andrew M. MacEachern whose telephone number is (313)335-8032.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, if the Board agent asks you for evidence with respect to the allegations in the first amended charge, I urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

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written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

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Very truly yours,

A handwritten signature in dark ink, reading "Elizabeth Kerwin" with a large, sweeping flourish at the end.

Elizabeth Kerwin
Regional Director

Enclosure: Copy of first amended charge

cc: Christopher R. Coxson, Esq.
Compass USA
140 Hillside Avenue
Chatham, NJ 07928

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

SEIU Healthcare Michigan

and

Individual Charging Party

CASE 07-CB-286361

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____

Crothall Healthcare Services

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Christopher R. Coxson

MAILING ADDRESS: 140 Hillside Avenue, Chatham, NJ 07928

E-MAIL ADDRESS: christopher.coxson@compass-usa.com

OFFICE TELEPHONE NUMBER: 862-579-1757

CELL PHONE NUMBER: same

FAX: _____

SIGNATURE: 

DATE: 12/28/21

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
NOTICE

Case 07-CB-286361

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements ***will not be granted*** unless good and sufficient grounds are shown ***and*** the following requirements are met:

- (1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).
- (2) Grounds must be set forth in ***detail***;
- (3) Alternative dates for any rescheduled hearing must be given;
- (4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and
- (5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.


Andrea Acevedo, President
SEIU Healthcare Michigan
3031 West Grand Blvd, #555
Detroit, MI 48202

Kayetta Holly , Human Resources Director
Crothall Healthcare Services
3990 John R. Street
Detroit, MI 48201

Ken Haney, Executive Vice President
SEIU Healthcare Michigan
3031 West Grand Blvd, Suite 555
Detroit, MI 48202-3141

Christopher R. Coxson, Esq.
Compass USA
140 Hillside Avenue
Chatham, NJ 07928

(b) (6), (b) (7)(C)



**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION SEVEN**

**SEIU HEALTHCARE MICHIGAN
(Crothall Healthcare Inc.)**

Respondent

and

Case 07-CB-286361

(b) (6), (b) (7)(C) an Individual
Charging Party

COMPLAINT AND NOTICE OF HEARING

This Complaint and Notice of Hearing is based on a charge filed by the Charging Party. It is issued pursuant to Section 10(b) of the National Labor Relations Act (the Act), 29 U.S.C. § 151 et seq., and Section 102.15 of the Rules and Regulations of the National Labor Relations Board (the Board) and alleges that Respondent has violated the Act as described below.

1. (a) The charge in this proceeding was filed by the Charging Party on November 16, 2021, and a copy was served on Respondent by U.S. mail on November 18, 2021.

(b) The amended charge in this proceeding was filed by the Charging Party on April 14, 2022, and a copy was served on Respondent by U.S. mail on April 14, 2022.

2. (a) At all material times, Crothall Healthcare Inc. (Employer) has been a corporation with an office and place of business in Wayne, Pennsylvania (Wayne facility), and has been providing janitorial and environmental services in various states including facilities owned by the Detroit Medical Center located in Detroit, Michigan.

(b) During the calendar year ending December 31, 2021, the Employer in conducting its operations described above in paragraph 2(a), performed services valued in excess of \$50,000 in States outside the State of Pennsylvania.

(c) At all material times, the Employer has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

3. At all material times, Respondent has been a labor organization within the meaning of Section 2(5) of the Act.

4. Since about May 18, 2021, through about February 28, 2022, Respondent received assistance and support from the Employer by the Employer deducting money from the Charging Party's wages and remitting the money to Respondent notwithstanding the absence of the Charging Party's authorization for the deductions and remittance.

5. By the conduct described above in paragraph 4, Respondent has been restraining and

coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(b)(1)(A) of the Act.

6. The unfair labor practice of Respondent described above affects commerce within the meaning of Section 2(6) and (7) of the Act.

WHEREFORE, it is prayed that Respondent be ordered to:

1. Cease and desist from engaging in the conduct described in paragraph 4, or in any like or related manner restraining or coercing employees in the exercise of rights guaranteed in Section 7 of the Act.

2. Take the following affirmative action:

(a) Refund the Charging Party for the dues deduction and remittance made on behalf from May 18, 2021, through February 28, 2022, with interest in accordance with Board policy;

(b) Post appropriate notices.

The General Counsel further prays for such other relief as may be just and proper to remedy the unfair labor practice herein alleged.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the complaint. The answer must be **received by this office on or before May 3, 2022, or postmarked on or before May 2, 2022.** Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically through the Agency's website. To file electronically, go to www.nlr.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT Monday, June 13, 2022, at 10:00 a.m at the **Patrick V. McNamara Federal Building, 477 Michigan Avenue, 5th Floor, Detroit, Michigan**, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board.¹ At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated: April 19, 2022



Elizabeth Kerwin, Regional Director
National Labor Relations Board, Region 7
Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 5-200
Detroit, MI 48226

¹ Requirements for Visitors: Parties, party representatives, and witnesses appearing in any of the Agency's field offices or for in-person Agency business are considered visitors for the purposes of the NLRB's Field Office Safety Protocols. All visitors are required to present a completed Certification form and, if not fully vaccinated, proof of a negative FDA-authorized PCR COVID-19 test result no later than 3 days prior to each entry to the Agency office or conducting in-person Agency business. Visitors must not attempt to enter NLRB offices or conduct in-person NLRB business if they have COVID-19, are required to quarantine under the CDC guidelines due to exposure, or have symptoms consistent with COVID-19. Symptoms include fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea. If a visitor develops symptoms or tests positive for COVID-19 within 10 days after their visit, they must notify the agent with whom they met at the office or in-person NLRB business. Visitors must wear a face mask that completely covers their nose and mouth at all times. The mask must fit snugly and not have any gaps. The NLRB will not allow non-protective masks, masks with exhalation valves/vents, or face shields as a substitute for masks. Visitors must maintain a distance of at least six (6) feet from others at all times.

Procedures in NLRB Unfair Labor Practice Hearings

The attached complaint has scheduled a hearing that will be conducted by an administrative law judge (ALJ) of the National Labor Relations Board who will be an independent, impartial finder of facts and applicable law. **You may be represented at this hearing by an attorney or other representative.** If you are not currently represented by an attorney, and wish to have one represent you at the hearing, you should make such arrangements as soon as possible. A more complete description of the hearing process and the ALJ's role may be found at Sections 102.34, 102.35, and 102.45 of the Board's Rules and Regulations. The Board's Rules and regulations are available at the following link: www.nlr.gov/sites/default/files/attachments/basic-page/node-1717/rules_and_regs_part_102.pdf.

The NLRB allows you to file certain documents electronically and you are encouraged to do so because it ensures that your government resources are used efficiently. To e-file go to the NLRB's website at www.nlr.gov, click on "e-file documents," enter the 10-digit case number on the complaint (the first number if there is more than one), and follow the prompts. You will receive a confirmation number and an e-mail notification that the documents were successfully filed.

Although this matter is set for trial, this does not mean that this matter cannot be resolved through a settlement agreement. The NLRB recognizes that adjustments or settlements consistent with the policies of the National Labor Relations Act reduce government expenditures and promote amity in labor relations and encourages the parties to engage in settlement efforts.

I. BEFORE THE HEARING

The rules pertaining to the Board's pre-hearing procedures, including rules concerning filing an answer, requesting a postponement, filing other motions, and obtaining subpoenas to compel the attendance of witnesses and production of documents from other parties, may be found at Sections 102.20 through 102.32 of the Board's Rules and Regulations. In addition, you should be aware of the following:

- **Special Needs:** If you or any of the witnesses you wish to have testify at the hearing have special needs and require auxiliary aids to participate in the hearing, you should notify the Regional Director as soon as possible and request the necessary assistance. Assistance will be provided to persons who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603.
- **Pre-hearing Conference:** One or more weeks before the hearing, the ALJ may conduct a telephonic prehearing conference with the parties. During the conference, the ALJ will explore whether the case may be settled, discuss the issues to be litigated and any logistical issues related to the hearing, and attempt to resolve or narrow outstanding issues, such as disputes relating to subpoenaed witnesses and documents. This conference is usually not recorded, but during the hearing the ALJ or the parties sometimes refer to discussions at the pre-hearing conference. You do not have to wait until the prehearing conference to meet with the other parties to discuss settling this case or any other issues.

II. DURING THE HEARING

The rules pertaining to the Board's hearing procedures are found at Sections 102.34 through 102.43 of the Board's Rules and Regulations. Please note in particular the following:

- **Witnesses and Evidence:** At the hearing, you will have the right to call, examine, and cross-examine witnesses and to introduce into the record documents and other evidence.
- **Exhibits:** Each exhibit offered in evidence must be provided in duplicate to the court reporter and a copy of each of each exhibit should be supplied to the ALJ and each party when the exhibit is offered

in evidence. If a copy of any exhibit is not available when the original is received, it will be the responsibility of the party offering such exhibit to submit the copy to the ALJ before the close of hearing. If a copy is not submitted, and the filing has not been waived by the ALJ, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

- **Transcripts:** An official court reporter will make the only official transcript of the proceedings, and all citations in briefs and arguments must refer to the official record. The Board will not certify any transcript other than the official transcript for use in any court litigation. Proposed corrections of the transcript should be submitted, either by way of stipulation or motion, to the ALJ for approval. Everything said at the hearing while the hearing is in session will be recorded by the official reporter unless the ALJ specifically directs off-the-record discussion. If any party wishes to make off-the-record statements, a request to go off the record should be directed to the ALJ.
- **Oral Argument:** You are entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. Alternatively, the ALJ may ask for oral argument if, at the close of the hearing, if it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.
- **Date for Filing Post-Hearing Brief:** Before the hearing closes, you may request to file a written brief or proposed findings and conclusions, or both, with the ALJ. The ALJ has the discretion to grant this request and to will set a deadline for filing, up to 35 days.

III. AFTER THE HEARING

The Rules pertaining to filing post-hearing briefs and the procedures after the ALJ issues a decision are found at Sections 102.42 through 102.48 of the Board's Rules and Regulations. Please note in particular the following:

- **Extension of Time for Filing Brief with the ALJ:** If you need an extension of time to file a post-hearing brief, you must follow Section 102.42 of the Board's Rules and Regulations, which requires you to file a request with the appropriate chief or associate chief administrative law judge, depending on where the trial occurred. You must immediately serve a copy of any request for an extension of time on all other parties and furnish proof of that service with your request. You are encouraged to seek the agreement of the other parties and state their positions in your request.
- **ALJ's Decision:** In due course, the ALJ will prepare and file with the Board a decision in this matter. Upon receipt of this decision, the Board will enter an order transferring the case to the Board and specifying when exceptions are due to the ALJ's decision. The Board will serve copies of that order and the ALJ's decision on all parties.
- **Exceptions to the ALJ's Decision:** The procedure to be followed with respect to appealing all or any part of the ALJ's decision (by filing exceptions with the Board), submitting briefs, requests for oral argument before the Board, and related matters is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be provided to the parties with the order transferring the matter to the Board.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 7**

**SEIU HEALTHCARE MICHIGAN (CROTHALL
HEALTHCARE SERVICES)**

and

Case 07-CB-286361

(b) (6), (b) (7)(C) an Individual

AFFIDAVIT OF SERVICE OF: Complaint and Notice of Hearing (with forms NLRB-4338 and NLRB-4668 attached)

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on **April 19, 2022**, I served the above-entitled document(s) by **certified or regular mail**, as noted below, upon the following persons, addressed to them at the following addresses:

Andrea Acevedo, President
SEIU Healthcare Michigan
3031 West Grand Boulevard, #555
Detroit, MI 48202

Email: andre.acevedo@seiuhealthcaremi.org

Ken Haney, Executive Vice President
SEIU Healthcare Michigan
3031 West Grand Boulevard
Suite 555
Detroit, MI 48202-3141

Email: ken.haney@seiuhealthcaremi.org

(b) (6), (b) (7)(C)

Email: **(b) (6), (b) (7)(C)**

Kayetta Holly, Human Resources Director
Crothall Healthcare Services
3990 John R. Street
Detroit, MI 48201

Email: kayetta.holly@crothall.com

Christopher R. Coxson, Esq.
Compass USA
140 Hillside Avenue
Chatham, NJ 07928

Email: christopher.coxson@compass-usa.com

April 19, 2022

Ann O'Neal-Jones, Designated Agent of
NLRB

Date

Name

/s/

Signature

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
NOTICE

Case 07-CB-286361

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements ***will not be granted*** unless good and sufficient grounds are shown ***and*** the following requirements are met:

- (1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).
- (2) Grounds must be set forth in ***detail***;
- (3) Alternative dates for any rescheduled hearing must be given;
- (4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and
- (5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.


Andrea Acevedo, President
SEIU Healthcare Michigan
3031 West Grand Blvd, #555
Detroit, MI 48202

Kayetta Holly , Human Resources Director
Crothall Healthcare Services
3990 John R. Street
Detroit, MI 48201

Ken Haney, Executive Vice President
SEIU Healthcare Michigan
3031 West Grand Blvd, Suite 555
Detroit, MI 48202-3141

Christopher R. Coxson, Esq.
Compass USA
140 Hillside Avenue
Chatham, NJ 07928

(b) (6), (b) (7)(C)

A large black rectangular redaction box covering several lines of text in the bottom left corner of the document.

Procedures in NLRB Unfair Labor Practice Hearings

The attached complaint has scheduled a hearing that will be conducted by an administrative law judge (ALJ) of the National Labor Relations Board who will be an independent, impartial finder of facts and applicable law. **You may be represented at this hearing by an attorney or other representative.** If you are not currently represented by an attorney, and wish to have one represent you at the hearing, you should make such arrangements as soon as possible. A more complete description of the hearing process and the ALJ's role may be found at Sections 102.34, 102.35, and 102.45 of the Board's Rules and Regulations. The Board's Rules and regulations are available at the following link: www.nlr.gov/sites/default/files/attachments/basic-page/node-1717/rules_and_regs_part_102.pdf.

The NLRB allows you to file certain documents electronically and you are encouraged to do so because it ensures that your government resources are used efficiently. To e-file go to the NLRB's website at www.nlr.gov, click on "e-file documents," enter the 10-digit case number on the complaint (the first number if there is more than one), and follow the prompts. You will receive a confirmation number and an e-mail notification that the documents were successfully filed.

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I. BEFORE THE HEARING

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- **Special Needs:** If you or any of the witnesses you wish to have testify at the hearing have special needs and require auxiliary aids to participate in the hearing, you should notify the Regional Director as soon as possible and request the necessary assistance. Assistance will be provided to persons who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603.
- **Pre-hearing Conference:** One or more weeks before the hearing, the ALJ may conduct a telephonic prehearing conference with the parties. During the conference, the ALJ will explore whether the case may be settled, discuss the issues to be litigated and any logistical issues related to the hearing, and attempt to resolve or narrow outstanding issues, such as disputes relating to subpoenaed witnesses and documents. This conference is usually not recorded, but during the hearing the ALJ or the parties sometimes refer to discussions at the pre-hearing conference. You do not have to wait until the prehearing conference to meet with the other parties to discuss settling this case or any other issues.

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- **Exhibits:** Each exhibit offered in evidence must be provided in duplicate to the court reporter and a copy of each of each exhibit should be supplied to the ALJ and each party when the exhibit is offered

in evidence. If a copy of any exhibit is not available when the original is received, it will be the responsibility of the party offering such exhibit to submit the copy to the ALJ before the close of hearing. If a copy is not submitted, and the filing has not been waived by the ALJ, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

- **Transcripts:** An official court reporter will make the only official transcript of the proceedings, and all citations in briefs and arguments must refer to the official record. The Board will not certify any transcript other than the official transcript for use in any court litigation. Proposed corrections of the transcript should be submitted, either by way of stipulation or motion, to the ALJ for approval. Everything said at the hearing while the hearing is in session will be recorded by the official reporter unless the ALJ specifically directs off-the-record discussion. If any party wishes to make off-the-record statements, a request to go off the record should be directed to the ALJ.
- **Oral Argument:** You are entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. Alternatively, the ALJ may ask for oral argument if, at the close of the hearing, if it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.
- **Date for Filing Post-Hearing Brief:** Before the hearing closes, you may request to file a written brief or proposed findings and conclusions, or both, with the ALJ. The ALJ has the discretion to grant this request and to will set a deadline for filing, up to 35 days.

III. AFTER THE HEARING

The Rules pertaining to filing post-hearing briefs and the procedures after the ALJ issues a decision are found at Sections 102.42 through 102.48 of the Board's Rules and Regulations. Please note in particular the following:

- **Extension of Time for Filing Brief with the ALJ:** If you need an extension of time to file a post-hearing brief, you must follow Section 102.42 of the Board's Rules and Regulations, which requires you to file a request with the appropriate chief or associate chief administrative law judge, depending on where the trial occurred. You must immediately serve a copy of any request for an extension of time on all other parties and furnish proof of that service with your request. You are encouraged to seek the agreement of the other parties and state their positions in your request.
- **ALJ's Decision:** In due course, the ALJ will prepare and file with the Board a decision in this matter. Upon receipt of this decision, the Board will enter an order transferring the case to the Board and specifying when exceptions are due to the ALJ's decision. The Board will serve copies of that order and the ALJ's decision on all parties.
- **Exceptions to the ALJ's Decision:** The procedure to be followed with respect to appealing all or any part of the ALJ's decision (by filing exceptions with the Board), submitting briefs, requests for oral argument before the Board, and related matters is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be provided to the parties with the order transferring the matter to the Board.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
DIVISION OF JUDGES
WASHINGTON, DC**

**SEIU HEALTHCARE MICHIGAN
(Crothall Healthcare, Inc.)
Respondent**

and

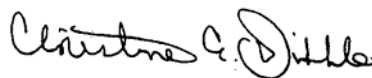
Case No. 07-CB-286361

**(b) (6), (b) (7)(C) [REDACTED] an Individual
Charging Party**

NOTICE SETTING PRE-HEARING CONFERENCE CALL

The pre-hearing conference in this matter is scheduled for May 25, 2022, **at 11:00 a.m. Central Daylight Time**. If a party has a conflict with this date, the party must confer with opposing counsel on an agreed upon alternate date and submit the new date and time to the undersigned.

Dated: May 16, 2022



Christine E. Dibble
Administrative Law Judge

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
WASHINGTON, D.C.**

**SEIU HEALTHCARE MICHIGAN
(Crothall Healthcare Inc.)**

Respondent

and

Case 07-CB-286361

(b) (6), (b) (7)(C) an Individual

Charging Party

**COUNSEL FOR THE GENERAL COUNSEL'S
MOTIONS TO TRANSFER CASE TO AND CONTINUE PROCEEDINGS BEFORE
THE BOARD AND FOR DEFAULT JUDGMENT**

Now comes Elaina S. Bailey, Counsel for the General Counsel in this matter, and pursuant to Sections 102.24 and 102.50 of the Board's Rules and Regulations, Series 8, as amended, files these Motions to Transfer Case to and Continue Proceedings Before the Board and for Default Judgment, and in support of the Motions, states as follows:

1. (a) The charge was filed by the Charging Party on November 16, 2021, and a copy was served on Respondent. Copies of the charge and Region's docketing letter with the affidavit of service for the charge are attached as Exhibits A and B, respectively.

(b) The amended charge was filed by the Charging Party on April 14, 2022, and a copy was served on Respondent. Copies of the amended charge and Region's docketing letter with the affidavit of service for the amended charge are attached as Exhibits C and D, respectively.

2. On April 19, 2022, the Regional Director for Region Seven issued and served upon Respondent by e-issuance a Complaint and Notice of Hearing. Copies of the Complaint and Notice of Hearing and affidavit of service are attached as Exhibits E and F, respectively.

3. In the Complaint served upon Respondent, as noted above, Respondent was advised as follows:

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the complaint. The answer must be **received by this office on or before May 3, 2022, or postmarked on or before May 2, 2022**. Respondent should file an original and four copies of the answer with this office and serve a copy of the answer

on each of the other parties.

An answer may also be filed electronically through the Agency's Website....

If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the complaint are true.

Exhibit E.

4. On May 5, 2022, the Acting Regional Director for Region Seven wrote and served upon Respondent a letter by electronic mail, advising that Respondent had not filed an answer to the Complaint that was due on May 3, 2022, and that any answer to the Complaint filed now would be untimely and should be accompanied by a statement indicating the reason for its late submission. He further advised that unless Respondent complied with the Board's Rules and Regulations with respect to the filing of an appropriate Answer by **Thursday May 12, 2022**, a Motion for Default Judgment would be filed with the Board and, if granted, all the allegations in the Complaint would be deemed admitted as true. Lastly, Respondent was informed that if it was having problems meeting the time requirements as to filing an Answer, it may receive an extension of time pursuant to Section 102.22 of the Board's Rules and Regulations, by submitting proper cause therefore to the Regional Director. A copy of that letter and an affidavit of service are attached as Exhibits G and H.

5. As of May 16, 2022, the Respondent has not filed an answer to the Complaint and Notice of Hearing or a request or an extension of time to file an answer.

6. Section 102.2 of the Board's Rules and Regulations, states in part:

The Respondent must, within 14 days from the service of the complaint, file an answer. The Respondent must specifically admit, deny, or explain each of the facts alleged in the complaint, unless the Respondent is without knowledge, in which case the Respondent must so state, such statement operating as a denial. All allegations in the complaint, **if no answer is filed**, or any allegation in the complaint not specifically denied or explained in an answer filed, unless the Respondent states in the answer that the Respondent is without knowledge, **will be deemed to be admitted to be true and will be so found by the Board**, unless good cause to the contrary is shown.

29 FR 9102.2 (emphasis added).

Because no Answer was filed in this matter, all of the allegations of the Complaint should be deemed to be admitted and found to be true. *Local 307, National Postal Mailhandlers Union (NPMHU), AFL-CIO*, 367 NLRB No. 144 (2019); *Neal B. Scott Commodities, Inc.*, 238 NLRB 32 (1978); *SDS Distributing Corp.*, 245 NLRB 322 (1979), *Indiana Temporary Services, et al*, 340 NLRB 914 (2003). Based on the foregoing, it is clear that a hearing in these matters is not necessary and it is appropriate for the Board to issue a

Decision and Order without further proceedings.

WHEREFORE, Counsel for the General Counsel respectfully moves:

1. That this Case and these Motions be transferred to the Board and ruled on immediately so that, in the event they are granted, the necessity and expense of a hearing involving Respondent will be obviated.

2. That all allegations of the Complaint be deemed to be admitted to be true, and so found by the Board, and that Respondent be found by the Board to have violated Sections 8 (b)(1)(A) of the National Labor Relations Act, as amended, without taking evidence in support of the Complaint.

3. That the Board issue a Decision containing findings of fact, conclusions of law, and an Order, consistent with the allegations in the Complaint and the prayer for relief set forth therein. Respectfully submitted this 17th day of May, 2022.

/s/ Elaina S. Bailey
Elaina S. Bailey
Counsel for the General Counsel
National Labor Relations Board, Region Seven
Patrick V. McNamara Federal Building
477 Michigan Avenue - Room 5-200
Detroit, Michigan 48226-2569
(313) 335-8029
Elaina.Bailey@nlrb.gov

I hereby certify that on May 17, 2022, I served by E-Filing, electronic mail, and by regular and certified mail **General Counsel's Motions to Transfer Case to and Continue Proceeding Before the Board and for Default Judgment** to the following parties of record:

Via E-Filing:

Division of Judges
National Labor Relations Board
1015 Half Street SE,
Washington, DC 20570-0001

Served via email on the following:

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Detroit, MI 48202

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Ken Haney, Executive Vice President

Email: ken.haney@seiuhealthcaremi.org

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(b) (6), (b) (7)(C)

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Christopher R. Coxson, Esq. Email: christopher.coxson@compass-usa.com
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Chatham, NJ 07928

Served via regular and certified mail on the following:

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/s/Elaina S. Bailey
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